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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 05-0324 MMC

Plaintiff,

**ORDER RE: POTENTIAL JURORS'  
HARDSHIP EXCUSES**

v.

DENNIS CYRUS, JR.,

Defendant

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Before the Court are the parties' "Jointly Submitted Objections and Requests for Court Follow-up Based on Juror 'Availability' Questionnaires" ("Joint Submission"), filed October 29, 2008. Having read and considered the parties' joint submission as well as the questionnaires completed by the prospective jurors, the Court rules as follows:

1. Each juror who requested excusal on grounds of hardship as to whom no party has stated an objection to excusal is hereby EXCUSED.

2. Each of the following jurors, to whom one or both parties have stated an objection to excusal, is hereby EXCUSED:<sup>1</sup>

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<sup>1</sup>In addition to the following jurors, the Court hereby EXCUSES those jurors to whose excusal the sole objection was for the reasons set forth in defendant's Motion to Ensure Adequate Juror Compensation (Trial Motion No. 46). (See Joint Submission at 24:8 - 28:6.)

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- a. Age
  - 03-378
  - 03-741
  - 03-860
  - 03-1196
  - 03-1223
- b. Caregiver
  - 03-064
  - 03-076
  - 03-099
  - 03-144
  - 03-185
  - 03-372
  - 03-729 <sup>2</sup>
  - 03-791
  - 03-818
  - 03-834
  - 03-924
  - 03-1088
  - 03-1134
  - 03-1222
  - 03-1276

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<sup>2</sup>This juror's request for excusal was initially misclassified as a "medical" hardship.

1 c. Financial

2 03-047 <sup>3</sup>

3 03-068

4 03-153

5 03-241

6 03-348 <sup>4</sup>

7 03-710

8 03-803

9 03-823 <sup>5</sup>

10 03-837

11 03-922

12 03-927

13 03-938 <sup>6</sup>

14 03-979 <sup>7</sup>

15 03-1019

16 03-1033

17 03-1077

18 03-1116

19 03-1118

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21 <sup>3</sup>This juror's request for excusal was initially misclassified as a "medical" or "travel"  
22 hardship.

23 <sup>4</sup>This juror's request for excusal was initially misclassified as a "prior service"  
24 hardship.

25 <sup>5</sup>In their Joint Submission, the parties refer to this juror as "03-820." This juror's  
26 request for excusal was initially misclassified as a "travel" hardship.

27 <sup>6</sup>The parties are advised that this juror provided the Court with a copy of the  
28 memorandum referenced in his/her request for excusal.

<sup>7</sup>Subsequent to the submission of this juror's questionnaire to the parties, this juror  
sufficiently demonstrated to the Court that he/she is only paid by his/her employer for five  
days.

1	03-1123
2	03-1127
3	03-1133
4	03-1273
5	03-1277
6	03-1308
7	03-1332
8	03-1341
9	03-1351
10	03-1364
11	03-1366 <sup>8</sup>
12	03-1373 <sup>9</sup>
13	03-1411
14	03-1417 <sup>10</sup>
15	03-1459
16	03-1492 <sup>11</sup>
17	d. Medical
18	03-049
19	03-126
20	03-127
21	03-138
22	03-205
23	03-207

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25       <sup>8</sup>This juror's request for excusal was initially misclassified as a "travel" hardship.

26       <sup>9</sup>This juror's request for excusal was initially misclassified as a "travel" hardship.

27       <sup>10</sup>This juror's request for excusal was initially misclassified as a "travel" hardship.

28       <sup>11</sup>This juror's request for excusal was initially misclassified as a "travel" hardship.

1	03-350
2	03-403
3	03-409
4	03-712
5	03-720
6	03-763
7	03-827
8	03-839
9	03-901
10	03-952
11	03-1041
12	03-1053
13	03-1109
14	03-1136
15	03-1186
16	13-1188
17	03-1208
18	03-1245
19	03-1281
20	03-1314
21	03-1346
22	03-1470 <sup>12</sup>
23	03-1485

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27 <sup>12</sup>This juror's request for excusal was initially misclassified as a "financial" hardship.  
28 Subsequent to the submission of this juror's questionnaire to the parties, this juror sufficiently demonstrated grounds exist for a medical excusal.

1 e. Other

2 03-034

3 03-120

4 03-341

5 03-412

6 03-699

7 03-748

8 03-796

9 03-800

10 03-804

11 03-970

12 03-1057<sup>13</sup>

13 03-1321

14 03-1456

15 03-1477

16 f. Prior Service

17 03-226<sup>14</sup>

18 03-997<sup>15</sup>

19 03-1375<sup>16</sup>

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23 <sup>13</sup>This juror was excused based on his status of active military service.

24 <sup>14</sup>Subsequent to the submission of this juror's questionnaire to the parties, this juror  
25 provided the Court with sufficient proof of the prior service.

26 <sup>15</sup>This juror's request for excusal was initially misclassified as an "other" hardship.  
27 Subsequent to the submission of this juror's questionnaire to the parties, this juror provided  
the Court with sufficient proof of the prior service.

28 <sup>16</sup>Subsequent to the submission of this juror's questionnaire to the parties, this juror  
provided the Court with sufficient proof of the prior service.

1 g. Student/Teacher

2 03-236

3 03-781

4 03-916

5 03-1457

6 03-1487 <sup>17</sup>

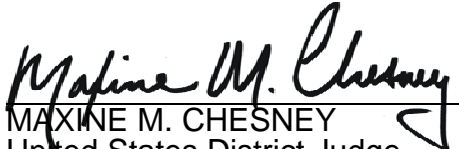
7 h. Travel

8 03-836

9 03-1230

10 **IT IS SO ORDERED.**

11  
12 Dated: November 19, 2008

  
MAXINE M. CHESNEY  
United States District Judge

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<sup>17</sup>This juror's request for excusal was initially misclassified as a "medical" hardship.